

REMARKS

Reconsideration of this application, as presently amended, is respectfully requested.

Claims 1-9 are pending in this application, new claim 9 having been added by the present Amendment. Claims 7 and 8 were allowed. Claims 1 and 3-6 stand rejected. Claim 2 was objected to as being dependent upon a rejected base claim, but was indicated to be allowable if rewritten in independent form.

Claim 2 has been rewritten in independent form as new claim 9 to place claim 9 into condition for allowance.

Claim Rejections – 35 U.S.C. §102(b)

Claims 1 and 3-5 were rejected under 35 U.S.C. §102(b) as being unpatentable over **Partio et al.** (USP 6,021,150). For the reasons set forth in detail below, this rejection, to the extent it is considered to apply to the present claims, is respectfully traversed.

Partio et al. disclose a laser having a baffled enclosure. As shown in Fig. 2, the baffling is provided by solid panels 210 that divide the enclosed volume of the laser enclosure into three portions. Air travels through the enclosure from an air inlet 200 through holes or slots provided in each of the solid panels (baffles) 210 and exiting a vent duct 170.

The ventilation connection 170 may contain a *pressure sensitive switch* and indicator to monitor pressure and shut off the laser if the pressure within the enclosure becomes too high (col. 7, lines 24-27).

Claim 1

Claim 1 has been amended to clarify that the output generated by the electronic digital pressure switch is used to control (i.e., adjust) the gas pressure detected by the detector (see, e.g., present application, page 12, lines 19-27).

With respect to independent claim 1, the Examiner considers the baffled enclosure that allows air to pass through to correspond to the claimed “housing that has a ventilating portion allowing a gas to pass therethrough,” and the pressure sensitive switch to correspond to the claimed “electronic digital pressure switch for detecting a gas pressure and generating an output.”

However, **Partio et al.** only disclose that the *laser is shut off* if the pressure becomes too high. **Partio et al.** is silent with respect to using the detected gas pressure to adjust the gas pressure detected by the detector. Specifically, **Partio et al.** do not disclose or suggest the claimed digital pressure switch wherein an output generated by the digital pressure switch is used to control the gas pressure detected by the digital pressure switch.

Claim 3 also distinguishes over **Partio et al.** by virtue of its dependency on claim 1.

Claim 4

With respect to independent claim 4, the Examiner apparently considers control electronics 150 (see, e.g., col. 6, lines 8-15) to correspond to the claimed “contact output” and the claimed “display means” (see Office Action, page 3, lines 3-12, and particularly page 3, lines 4 and 8). The Examiner apparently considers the output of the pressure sensor (or temperature sensor) to correspond to the claimed “analog output.”

However, **Partio et al.** do not disclose or suggest the claimed “contact output that turns ON/OFF according to detected pressures and that allows ON and OFF values to be set,” and “display means that digitally displays detected pressures and also digitally displays ON/OFF values of the contact output by switching an operation mode.”

With respect to the control electronics 150 shown in Fig. 1 of **Partio et al.**, which the Office Action asserts corresponds to the claimed “contact output” and “display means,” the reference does not disclose or suggest any specifics of the control functions of the control electronics 150, and simply indicates that the “control electronics 150 are positioned in the enclosure for convenience of construction of the cabinet...” (see col. 6, lines 9-11).

Further, the only discussions in the **Partio et al.** reference with respect to detecting pressure are found in col. 2, lines 45-50; col. 3, lines 24-41; col. 3, line 65 – col. 4, line 8; col. 7, lines 1-3; col. 7, lines 24-27; and col. 11, lines 1-7. However, none of these portions discloses a contact output that turns ON/OFF according to detected pressure *and* allows ON and OFF values to be set.

Even, assuming *arguendo*, the shut-off of the laser by the pressure sensitive switch if the pressure becomes too high, as disclosed in col. 7, lines 24-27 of **Partio et al.**, is considered a contact that turns ON/OFF according to detected pressure, the **Partio et al.** reference is silent regarding a contact that allows ON and OFF values to be set.

Still further, the **Partio et al.** reference discloses that the ventilation connection may include the pressure sensitive switch and an *indicator* to monitor pressure (col. 7, line 25). However, even, assuming *arguendo*, the indicator is considered a display means to display

detected pressure, **Partio et al.** are silent regarding a display that “also digitally displays ON/OFF values of the contact output by switching an operation mode.”

Moreover, claim 5, which depends from claim 4, patentably distinguishes over the **Partio et al.** reference for the same reasons as claim 4 by virtue of its dependency therefrom.

Claim Rejections – 35 U.S.C. §103

Claim 6 was rejected under 35 U.S.C. §103(a) as being unpatentable over **Partio et al.** in view of **Rocci, Jr. et al.** (USP 5,676,129).

It is respectfully submitted that **Rocci, Jr. et al.** does not alleviate any of the deficiencies of **Partio et al.** Therefore, claim 6, which depends from claim 4, patentably distinguishes over the **Partio et al.** reference for the same reasons set forth above with respect to claim 4 by virtue of its dependency therefrom.

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

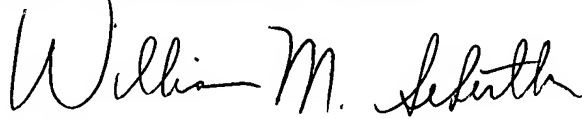
Application No. 10/756,827
Group Art Unit: 2636

Amendment under 37 C.F.R. §1.111
Attorney Docket No.: 042018

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" being the most prominent.

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